

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Hildania Kristensen

Plaintiff(s),

vs.

Case No. 11-3318 MJD/TN  
(To be assigned by Clerk of District

Court)

Greatbatch

DEMAND FOR JURY TRIAL

Kimberly Briggs

YES ☒ NO ☐

Lisa Rambol

Defendant(s).

(Enter the full name(s) of ALL plaintiffs and  
defendants in this lawsuit. Please attach  
additional sheets if necessary).

**EMPLOYMENT DISCRIMINATION COMPLAINT**

PARTIES

1. List your name, address and telephone number. Do the same for any additional plaintiffs.

a. Plaintiff

Name Hildania Kristensen  
Street Address 15725 48<sup>th</sup> Ave. N  
County, City Hennepin Country, Plymouth  
State & Zip Code MN 55446  
Telephone Number 763-383-6997



2. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption.

a. Defendant No. 1

Name	<u><b>Greatbatch Medical</b></u>	
Street Address	<u>1000 Wehrle Drive</u>	<u>2300 Berkshire Lane N.</u>
County, City	<u>Erie Country, Clarence</u>	<u>Hennepin Country, Minneapolis</u>
State & Zip Code	<u>NY 14031</u>	<u>MN 55441</u>

Defendant No. 2

Name **Kimberly Briggs**  
( former Director of Regulatory Affairs and Quality at Greatbatch Medical;  
current Director of Global Regulatory Affairs at Bausch and Lomb)

Street Address	<u>1 Bausch and Lomb Place</u>
County, City	<u>Monroe County, Rochester</u>
State & Zip Code	<u>NY, 14604-2799</u>

Defendant No. 3

Name	<u><b>Lisa Rambol</b> (former</u>
Street Address	<u>1506 Franklin Ln.</u>
County, City	<u>Anoka, MN</u>
State & Zip Code	<u>55303</u>

**NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.**  
**Check here if additional sheets of paper are attached:** ☐  
**Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.c., 2.d., etc.)**

## JURISDICTION

The Court has jurisdiction over this action under 28 U.S.C. § 1331.

3. This employment discrimination lawsuit is based on (check only those that apply):

- a. ☒ Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et. seq.*, for employment discrimination on the basis of race, color, religion, gender, or national origin. **NOTE:** *In order to bring suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission (EEOC).*
- b. ☐ Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621, *et. seq.*, for employment discrimination on the basis of age (age 40 or older). **NOTE:** *In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission (EEOC).*
- c. ☒ American with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101, *et. seq.*, for employment discrimination on the basis of disability. **NOTE:** *In order to bring suit in federal court under the American with Disabilities Act, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission (EEOC).*
- d. ☐ Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, *et. seq.*, for employment discrimination on the basis of a disability by an employer which constitutes a program or activity receiving federal financial assistance. **NOTE:** *In order to bring suit in federal district court under the Rehabilitation Act of 1973, you must first file charges with the appropriate Equal Employment Office (EEO) representative or agency.*
- e. ☒ Other (Please describe)
- f. Defamation of character, statements causing to harm reputation.

4. If you are claiming that the discriminatory conduct occurred at a location other than the defendant's address above, please provide the following information on where the conduct occurred:

GREAT CENTRAL  
 2300 Berkshire Lane N. Hennepin County, Minneapolis MN 55441  
 (QUAN 10675 Naples Street N.E. Anoka County, Blaine MN 55449  
 EMERGENCY)  
 (Street Address) (City/County) (State) (Zip Code)

5. When did the discrimination occur? Please give the date or time period:

December 2007 to June 2008

#### ADMINISTRATIVE PROCEDURES

6. Did you file a charge of discrimination against the defendant(s) with the Equal Employment Opportunity Commission or other federal agency?

a. ☒ Yes Date filed: 3/9/2009

b. ☐ No

7. Have you received a Notice of Right-to-Sue Letter?

a. ☒ Yes If yes, please attach a copy of the letter to this complaint.

b. ☐ No

#### NATURE OF THE CASE

8. The conduct complained of in this law suit involves (check only those that apply):

a. ☐ Failure to hire me

b. ☒ Termination of my employment

c. ☐ Failure to promote me

d. ☒ Failure to accommodate my disability

e. ☒ Terms and conditions of employment differ from those of similar employees

f. ☒ Retaliation

g. ☐ Harassment

h. ☒ Other conduct (please specify): \_\_\_\_\_

DEFAMATION OF CHARACTER

- i. Did you complain about this same conduct in the charge of discrimination, referred to in number 6 above?

X Yes    \_\_\_ No

9. I believe that I was discriminated against because of my (check all that apply):

a. X Race

b. \_\_\_ Religion

c. X National origin

d. X Color

e. \_\_\_ Gender

f. X Disability

g. \_\_\_ Age (my birth year is: \_\_\_\_\_)

h. \_\_\_ Other (please specify): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

- i. Did you state the same reason(s) in the charge of discrimination, referred to in number 6 above?

X Yes    \_\_\_ No

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of the conduct that you believe is discriminatory and describe how each defendant is involved in the conduct (i.e. how, where, and when). Each paragraph must be numbered separately, beginning with number 10. Please write each allegation of discrimination in a separately numbered paragraph.

**10. Hildania was discriminated against in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, et. seq., (McDonnell McDonnell Douglas Corp. v. Green, 411 U.S. 792, 802-04 (1973)).**

(1). Hildania Kristensen is a member of a protected class:

\*Race: mixed Hispanic American, African American, Native Caribbean American.

\*Color: Dark Skin.

\* National Origin: Dominican Republic.

(2). Hildania Kristensen was meeting the employers legitimate expectations at the time of the adverse retaliatory action.

Hildania started employment with Greatbatch Medical on September 26<sup>th</sup>, 2007

Within a month on the job Hildania was asked by Mark Kraus if she was interested in a Quality Management role. On November 6<sup>th</sup>, 2007 Hildania received a promotion from Principal Engineer to Manager of Design Assurance with a salary increase to \$105,000 effective immediately and a official change in role in January. The Performance Review completed on March 12, 2008 indicated that Hildania Kristensen met and exceeded expectations. Thus an additional bonus was also granted taking the salary to \$107k+. In addition, during meetings with my Manager, Director of Quality and Regulatory Kimberly Briggs, in May and early June Hildania's performance was Excellent; when Hildania asked if there was something she needed me to improve, the answer was no.

(3). Hildania Kristensen was subjected to adverse employment actions which lead to Hildania's unlawful termination, including but not limited to the following actions:

- Discrimination on the basis of race, color and national origin/RETALIATION;
- Defamation of Character;
- Lack of Recognition and support for Hildania's disability.

(4). Greatbatch Medical – Plymouth location, lead by the actions and influence of Kimberly Briggs and Lisa Rambol, treated similarly situated employees not in the protected class more favorably.

### DISCRIMINATION ON THE BASIS OF RACE, COLOR AND NATIONAL ORIGIN.

On December 2007, while working on a project contracted to Enpath by Cordis, the R&D Manager and some of his employees made discriminatory and demeaning comments regarding Hispanics Professionals in the Cordis team. I reminded the R&D Manager, that there was no place in our environment for such behavior/comments. He apologized and promised thi swill not occur. To my surprise it became a reoccurrent event. When the project was transferred from Cordis-Florida to Cordis-Netherland the comments went:

- From Dec 2007 “good riddance we are not having to work with those eratic- emotionally charge Hispanics with unreasonable demands”
- to Feb 2008 “this is it, why in the world are the stupid guys from the Netherlands requesting us to do that (provide consistent products, identify the causes of failures) we need to go visit those idiots to let them know who is boss” (ironically the products where being manufactured at the Greatbatch facility in Plymouth, MN; we needed to solve the problems and accept the failures not blame, curse and belittle people from other cultures).

### RETALIATION

Enpath was acquired <sup>2007</sup> by Greatbatch Medical in Greatbatch Medical  
ALSO ACQUIRED QUAN EMERTER (BLAINE, MN) ABOUT THE  
SAME TIME. THE MERGER AND ACQUISITION LEAD TO ATRITION  
BECAUSE LISA RAMBOL AND MEMBERS OF THE UPPER MANAGEMENT  
TEAM DEPLOYED AND SUPPORTED HARASSMENT AGAINST PEOPLE  
OF COLOR. FOUR PEOPLE OF COLOR APPROACHED ME, HILDAWIN  
BECAUSE THEY FEEL DISCRIMINATED AGAINST AND FEARED KRISTENSEN  
THEIR JOBS. I SPOKE TO MY MANAGER AND TO HR IN MAY 2008  
ABOUT THIS. HR, VICKY MOENIG, PROMISED TO PASS ON THE MESSAGE

After the merger the first sign of discrimination against people of color was that the African American receptionist was forced into attrition and replaced by a white male. Then an African American Technician in R&D with higher experience and seniority was forced to work in the manufacturing floor.

She and a direct report of mine were studying together for the CQT (Certified Quality Technician) Certification while I gave the day off before the test to study to my direct report, the African American Technician was forced by her manager of R&D to work overtime. I tried to plea for her to no avail. The technician reporting to me passed the test, yet the other technician failed. We also had an Asian (Philippine) Technician who was being forced to travel daily to Blaine and Plymouth and she lived south of Burnsville. This technician was also an excellent employee, yet I had to step up to her defense because the company was looking to either fire her or force her into attrition. A Warehouse Technician (also Asian and dark skin) approached me too, interested on transferring to my team, he could not stand the abuse and discrimination he was being subjected too. Lisa Rambol made it clear that "there was only room for beautiful white people, I want to clean up the place from all these ugly diversity!"



**Attach additional sheets of paper as necessary.**

**Check here if additional sheets of paper are attached:** ☐


**Please label the attached sheets of paper as Additional Facts and continue to number the paragraphs consecutively.**

**REQUEST FOR RELIEF**

State briefly and exactly what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

\$250K from Grubbatch  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 11/10/11

  
Signature of Plaintiff

Mailing Address 15725 48<sup>th</sup> Ave. N.

Plymouth, MN 55446

Telephone Number 763-383-6997; 763-267-2910

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide his/her mailing address and telephone number. Attach additional sheets of paper as necessary.